

Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Twenty-seventh Day **Thursday Morning** March 5, 2015 The invocation was offered by Pastor Phillip Krupski of St. Wolkins □ Truitt John Lutheran Church in Indianapolis, a guest of Representative Ubelhor Wright Cynthia L. Kirchhofer. VanNatter Zent Washburne □ Ziemke The House convened at 10:00 a.m. with Speaker Brian C. Wesco Mr. Speaker Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representatives Gregory E. Steuerwald and Randolph P. Truitt.

The Speaker ordered the roll of the House to be called:

Arnold Klinker Austin Koch Aylesworth Lawson Bacon Lehe Baird Lehman Bartlett Leonard Bauer Lucas Behning Macer Beumer Mahan **Borders** Mayfield Braun McMillin C. Brown □ McNamara T. Brown □ D. Miller Burton □ Moed Carbaugh Morris □ Cherry Morrison Clere Moseley Cook Negele Niezgodski Cox Culver Nisly Davisson □ Ober Olthoff DeLaney Dermody □ Pelath DeVon Pierce Dvorak □ Porter □ Eberhart Price Errington Pryor Rhoads Fine Richardson Forestal Friend Riecken Frizzell Saunders Frye Schaibley GiaQuinta Shackleford Goodin 🗆 Slager Gutwein Smaltz Hale M. Smith V. Smith Hamm Soliday □ Harman Harris Speedy

Stemler

Steuerwald

Sullivan

Summers

Torr

Thompson

Heaton

Huston

Kersey

Karickhoff

Kirchhofer

Judy

Roll Call 271: 85 present; 15 excused. The Speaker announced a quorum in attendance. [NOTE: □ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 9, 2015, at 1:30 p.m.

MCMILLIN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 24

Representatives McNamara, Washburne and Goodin introduced House Resolution 24:

A HOUSE RESOLUTION honoring North Elementary School on its nomination for the 2015 United States Department of Education's National Blue Ribbon Schools program.

Whereas, North Elementary School, Poseyville, was nominated for the 2015 United States Department of Education's National Blue Ribbon Schools program;

Whereas, The Blue Ribbon Schools award gives national recognition to a diverse group of public and private schools that are unusually effective in meeting local, state, and national goals and in educating their students;

Whereas, The Blue Ribbon Schools program is made up of the Elementary School Recognition Program and the Secondary School Recognition Program, recognizing elementary and secondary schools in alternate years;

Whereas, The Blue Ribbon Schools program recognizes schools that demonstrate a strong commitment to educational excellence for all students, achieve high academic standards, or have shown significant academic improvement over five years;

Whereas, Some recent initiatives at North Elementary School were designed to close achievement gaps, including Response to Instruction (RTI) which involves educators looking at student data and seeing where students may need extra help, and enrichment for high-achieving students;

Whereas, Metropolitan School District of North Posey County Superintendent Todd Camp credits the entire community's effort for the school's nomination;

Whereas, North Elementary offers preschool through sixth grade and has an enrollment of 430 with 53 teachers and staff members; and 614 House March 5, 2015

Whereas, The people of the state of Indiana applaud North Elementary School in its pursuit of excellence in education and encourage all its future endeavors: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates North Elementary School on its nomination as a Blue Ribbon School and wishes the staff and students continued success in all their future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to North Elementary School Principal Terri Waugaman and Metropolitan School District of North Posey County Superintendent Todd Camp.

The resolution was read a first time and adopted by voice vote.

House Resolution 25

Representatives McNamara, Washburne and Goodin introduced House Resolution 25:

A HOUSE RESOLUTION honoring Farmersville Elementary School on its nomination for the United States Department of Education's National Blue Ribbon School Award program.

Whereas, Farmersville Elementary School, Mount Vernon, is nominated for the United States Department of Education's National Blue Ribbon Award program;

Whereas, The Blue Ribbon School Award gives national recognition to a diverse group of public and private schools that are unusually effective in meeting local, state, and national goals and in educating their students;

Whereas, The Blue Ribbon School Award program is made up of the Elementary School Recognition program and the Secondary School Recognition program, recognizing elementary and secondary schools in alternate years;

Whereas, The Blue Ribbon School Award Program recognizes schools that demonstrate a strong commitment to educational excellence for all students, achieve high academic standards, or have shown significant academic improvement over five years;

Whereas, Metropolitan School District of Mount Vernon Superintendent Tom Kopatich credits the nomination of Farmersville Elementary School to great leadership by principal Beth Johns and the teachers at the school;

Whereas, Farmersville Elementary School offers grades pre-K through fifth with an enrollment of 242 students and a total of 40 teachers and staff members;

Whereas, Farmersville Elementary School has worked diligently on initiatives that are aimed at closing achievement gaps;

Whereas, The Blue Ribbon School Award program shines the public spotlight on very special schools and gives them the recognition they so richly deserve; and

Whereas, Blue Ribbon schools are an example of achievement by students and teachers working together toward one goal: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Farmersville Elementary School on its nomination to the Blue Ribbon School Award program and wishes it continued success in all its future endeavors.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Principal Beth Johns and Metropolitan School District of Mount Vernon Superintendent Tom Kopatich.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 31

Representatives Errington, Wright, McNamara, Rhoads, Cook and DeLaney introduced House Concurrent Resolution 31.

A CONCURRENT RESOLUTION recognizing the Indiana Academy for Science, Mathematics, and Humanities on the 25th anniversary of its founding.

Whereas, In 1988, the Indiana General Assembly authorized Ball State University to establish the Indiana Academy for Science, Mathematics, and Humanities as a laboratory school;

Whereas, The Indiana Academy for Science, Mathematics, and Humanities began operation on the campus of Ball State University in 1990;

Whereas, Since its founding, the Indiana Academy for Science, Mathematics, and Humanities has graduated 2,812 Hoosier students, all of whom went on to attend college and 70 percent of whom went on to study at Indiana colleges and universities;

Whereas, The Indiana Academy for Science, Mathematics, and Humanities currently serves 295 students in its residential high school program;

Whereas, The student body of the Indiana Academy for Science, Mathematics, and Humanities is diverse, reflecting the geographic, ethnic, and cultural diversity of Indiana;

Whereas, The Indiana Academy for Science, Mathematics, and Humanities provides a physical, intellectual, and social environment in which students with exceptional academic ability can thrive in an appropriately exceptional learning community;

Whereas, The Indiana Academy for Science, Mathematics, and Humanities serves Indiana as a statewide center for gifted education so that students all across the state have access to programs and resources appropriate to their abilities;

Whereas, The Indiana Academy for Science, Mathematics, and Humanities' Outreach Program has established itself as the premier resource in the state for advanced teacher training in the area of teaching gifted and talented students; and

Whereas, It is fitting that we recognize the contributions of the Indiana Academy for Science, Mathematics, and Humanities by joining in the celebration of its 25th anniversary: Therefore,

> Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Indiana Academy for Science, Mathematics, and Humanities on 25 years of outstanding achievement in educating gifted and talented students in Indiana and joins in the celebration of its 25th anniversary.

SECTION 2. That the members of the Indiana General Assembly extend their best wishes to the Indiana Academy for Science, Mathematics, and Humanities for its continued success as an institution and for the continued success of its students.

SECTION 3. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Dr. Vickie Barton, Executive Director of the Indiana Academy for Science, Mathematics, and Humanities.

March 5, 2015 House 615

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Lanane.

Senate Concurrent Resolution 21

The Speaker handed down Senate Concurrent Resolution 21, sponsored by Representative DeVon:

A CONCURRENT RESOLUTION congratulating the Penn High School Spell Bowl team on winning its fourteenth state championship title in the Indiana Academic Spell Bowl.

Whereas, On November 15, 2014, the Penn High School Spell Bowl team tied the Martinsville High School Spell Bowl team to become co-champions in the 2014 Indiana Academic Spell Bowl state finals;

Whereas, Penn High School earned a perfect score of 90 out of 90 in the championship competition, a rarity for such large invitationals;

Whereas, On the road to the state championship competition, the Penn High School Spell Bowl team also won six invitational meets, in addition to earning the highest regional score in Indiana:

Whereas, Students who were perfect spellers for the Penn High School Spell Bowl team include: Michelle Tapp, Athreya Sundaram, Muqsit Buchh, Kanika Arora, Ari Kirsch, Presto George, Max Kirsch, Faihaan Arif, Chris Yun, and Disha Waghray; and

Whereas, Pete DeKever, head coach of the Penn High School Spell Bowl team, was named the 2014 Penn-Harris-Madison School Corporation Teacher of the Year: Therefore,

> Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Penn High School Spell Bowl team on its victory in the 2014 Indiana Academic Spell Bowl state championship and wishes its team members continued success in all their future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Penn High School Spell Bowl team, their coach Pete DeKever, Penn High School's principal, and the school's superintendent.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 22

The Speaker handed down Senate Concurrent Resolution 22, sponsored by Representative DeVon:

A CONCURRENT RESOLUTION congratulating Anna Rohrer, Mishawaka High School senior, for her momentous victory in the 2014 Foot Locker Cross Country National Championships, and for being named the 2014-2015 Gatorade National Girls Cross Country Runner of the Year.

Whereas, On Saturday, December 14, 2014, Anna Rohrer won her second national title in girls cross country with a 5k time of 17:13 at the Foot Locker Cross Country Championships in San Diego, California;

Whereas, Rohrer is only the fifth female runner in the thirtysix year history of the meet to win two Foot Locker titles, and only the second to win in non-consecutive years;

Whereas, In addition to Rohrer's two national titles in cross country, she also won the New Balance national 5,000 meter track title in June, 2014;

Whereas, Rohrer has also won four Indiana high school titles and holds state meet records in cross country and track;

Whereas, Winning the national title this year was especially meaningful to Rohrer as she was only two months removed from a foot injury that forced her to miss the entire regular season;

Whereas, In recognition of her athletic excellence, academic achievement, and exemplary character, Rohrer has also been named the 2014-2015 Gatorade National Girls Cross Country Runner of the Year;

Whereas, Rohrer has maintained a 3.86 GPA in the classroom and is a member of the South Bend/Mishawaka Youth Leadership Council, as well as the City of Mishawaka Mayor's Youth Council;

Whereas, Rohrer's recent victories are the result of her unique commitment and extraordinary perseverance; and

Whereas, It is fitting that the Indiana Senate give special recognition to Anna Rohrer for her truly remarkable achievements in high school athletics, as well as her commitment to academics and her community: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Anna Rohrer for her exceptional accomplishments, including her most recent national title in girls cross country, and wishes her continued success in all her future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Anna Rohrer; Chris Kowalewski, Head Coach of the Mishawaka High School Girls Cross Country Team; and Jerome Calderone, Principal of Mishawaka High School.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 15 were read a first time by title and referred to the respective committees:

SB 6 — Dermody

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 10 — Cox, Steuerwald

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 58 — Steuerwald

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 65 — Koch

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

SB 71 — DeVon

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

616 House March 5, 2015

SB 93 — Smith M

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 99 — Steuerwald

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 101 — Wesco, McMillin, Lehe, Smith M

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 125 — Cherry

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning insurance.

SB 127 — Mahan, Smith M, Karickhoff, Wolkins, Harman Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 128 — Lehman

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 130 — Thompson, Burton

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 242 — Speedy

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 287 — McMillin

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 288 — Borders, Klinker

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 289 — McNamara, Lawson L, Hale, Macer

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 294 — Brown T, Brown C

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 297 — Dermody

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 312 — Koch, Beumer, Hale

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 317 — Smith M

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 321 — Friend

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 325 — Harman

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 329 — Judy, Bacon, Morris, Carbaugh, Zent

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 330 — Negele, Truitt

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 334 — Sullivan, Ubelhor, Smith M, Morris

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 350 — Brown C, Harris, Fine, Slager

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 359 — Smaltz

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 385 — McMillin, Truitt

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 388 — Karickhoff

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 390 — Slager, Aylesworth

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 413 — Huston, Hale

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 421 — McNamara, Davisson, Soliday

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

March 5, 2015 House 617

SB 422 — McNamara, Davisson

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers and to make an appropriation.

SB 425 — Lehman

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 426 — Truitt, Cherry, Goodin, Rhoads

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 427 — Slager, Aylesworth, Macer

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 436 — Brown T

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 446 — Koch

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 447 — Washburne

Committee on Financial Institutions

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

SB 450 — Slager

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 464 — McMillin, Brown T, Davisson, Brown C

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 470 — Thompson

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning education.

SB 476 — Friend

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 478 — Morris, Carbaugh

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 481 — Cherry

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning local government.

SB 484 — Frye R

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 487 — Cox, Smaltz

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

SB 489 — Lehman

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 491 — Mahan

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 492 — Burton

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 495 — Behning, Smith V, Pryor, Porter, Summers

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 498 — Davisson, Arnold L, Braun, Eberhart

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 500 — Cook

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 506 — Soliday

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 509 — Clere, Truitt

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 514 — Price, Truitt

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 515 — Soliday, Dermody

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 516 — Speedy, Koch

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 523 — Frizzell, Behning, Speedy

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

618 House March 5, 2015

SB 524 — Steuerwald

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 528 — Lehman, Pierce

Committee on Government and Regulatory Reform

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 530 — Price

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 531 — Price

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 532 — McNamara, Cox, Hale

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 534 — Davisson, Clere, Stemler

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 536 — McMillin, Washburne, Lawson L

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 538 — Torr, McMillin

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 539 — Mahan, Austin

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 546 — Negele

Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 551 — Frizzell, Moed, Brown C

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 556 — Frye R

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 559 — Frizzell

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 564 — DeVon

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning family law and juvenile law.

SJR 2 — Eberhart, VanNatter

Committee on Judiciary

A JOINT RESOLUTION proposing an amendment to Article 1 of the Constitution of the State of Indiana concerning natural and cultural resources.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Cox be removed as first sponsor and Representative Bacon be substitued as first sponsor and Representatives Cox and Steuerwald be added as cosponsors of Engrossed Senate Bill 10.

COX

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 125.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be removed as cosponsor of Engrossed Senate Bill 127.

MAHAN

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative VanNatter, the House adjourned at 10:24 a.m., this fifth day of March, 2015, until Monday, March 9, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives